

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Yolanda Salinas, on behalf of himself and all
other similarly situated persons, known and
unknown, Plaintiffs,
v.
G.V. Welding, Inc., and Gerardo Vega,
Defendants.

Case No. 1:17-cv-4846
Judge: Hon. Andrea R. Wood

**MOTION FOR COURT APPROVAL OF SETTLEMENT
AND DISMISSAL OF PLAINTIFF'S CLAIMS**

NOW COMES the Plaintiff through counsel, and moves the Court to approve the settlement entered between Defendants and Plaintiff and submitted to the Court for *in camera* inspection. In support of the motion, the Plaintiff states:

1. On June 28, 2017, Plaintiff filed a Complaint in the United States District Court for the Northern District of Illinois, Eastern Division (the "Court") against Defendants alleging violations of the Fair Labor Standards Act ("FLSA") and the Illinois Minimum Wage Law ("IMWL").
2. Following negotiations, the parties have reached a mutually satisfactory settlement.
3. When an employee asserts a claim against his employer or former employer for wages under the FLSA or IMWL, any settlement of that claim requires a court to review the settlement for fairness. *Walton v. United Consumers Club, Inc.*, 786 F.2d 303, 306 (7th Cir. 1986) (FLSA); *Lewis v. Giordano's Enters., Inc.*, 921 N.E.2d 740, 751 (1st Dist. 2009) (IMWL).
4. The Settlement Agreement (the "Agreement") between the parties will be submitted to the Court for *in camera* inspection pursuant to the Court's order of November 7, 2017. [Dkt. 20]
5. The Parties request the Court approve the Agreement because it is a fair and reasonable resolution of bona fide disputes over wages under the FLSA and IMWL between them.

6. Upon approval of the Agreement, the Parties further request the dismissal of Plaintiff's claims without prejudice that will become with prejudice on July 1, 2018, absent the filing of any motion to reinstate this matter before July 1, 2018, and with each party to bear its own attorneys' fees and costs except as otherwise agreed.

WHEREFORE, for the foregoing reasons, Plaintiff and Defendants respectfully request that this Court enter an Order approving the Agreement as a fair and reasonable resolution of bona fide disputes under the FLSA and IMWL between Plaintiff and Defendants, and dismiss without prejudice that will become with prejudice on July 1, 2018, absent a motion to enforce the Parties' settlement of this matter before July 1, 2018, and with each party to bear its own attorneys' fees and costs except as otherwise agreed.

Respectfully submitted on Friday, November 24, 2017.

s/ Valentin T. Narvaez

Plaintiff's counsel

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CERTIFICATE OF SERVICE

I, Valentin T. Narvaez, an attorney, hereby certify that on August 15, 2016, I electronically filed a copy of the foregoing **Motion for Court Approval of Settlement and Dismissal of Plaintiff's Claims** with the Clerk of the Court using the CM/ECF system, and sent, by regular US mail a copy to:

John A. Doerrer
1705 N. Rutherford Ave.
Chicago IL 60707

By: /s/ Valentin T. Narvaez
Plaintiff's Counsel